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IN THE UNITED STATES DISTRICT COURT, DISTRICT OF UTAH

JOSE H. CUBAS,

Plaintiff,

vs.

SKY CHEFS, INC. a Delaware Corporation,
d/b/a LSG SKY CHEFS; and MICHAEL
PODLUCKY, an individual; and KERRI
ROBERTS , an individual,

Defendants.

**PLAINTIFF JOSE H. CUBAS’
MOTION TO COMPEL SKY CHEFS
INC. TO PRODUCE 30(b)(6)
DEPONENTS**

Expedited Hearing Requested

Case No. 2:04-CV-01099TS

District Judge Ted Stewart
Magistrate Judge David O. Nuffer

Pursuant to Federal Rule of Civil Procedure 37(a)(2)(B), Plaintiff Jose H. Cubas hereby moves the Court for an Order compelling Defendant Sky Chefs, Inc. to produce one or more representatives as 30(b)(6) deponents pursuant to Mr. Cubas’ Notice of 30(b)(6) Deposition. Having made good faith efforts to resolve the disputes on the appropriate scope of Sky Chefs’ 30(b)(6) deposition, Mr. Cubas requests the aid of the Court in obtaining cooperation with discovery.

Mr. Cubas also moves the Court for an expedited hearing for the disposition of this motion, given the approaching dates of the noticed deposition and the fact discovery cutoff. Further, Mr. Cubas requests that Sky Chefs be ordered to pay reasonable attorneys' fees and costs associated with preparing and arguing this motion, as well as any additional travel expenses caused by Sky Chefs' actions.

This motion is accompanied by a memorandum of points and authorities, which also details and certifies Mr. Cubas' good faith efforts to resolve the above issues without resort to the Court.

DATED this 16th day of March, 2006.

SNOW, CHRISTENSEN & MARTINEAU

By: /s/ Ryan B. Bell
Stanley J. Preston
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Attorneys for Plaintiff Jose H. Cubas

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Certificate of Service

I hereby certify that on March 13, 2006, I electronically filed the foregoing **PLAINTIFF JOSE H. CUBAS' MOTION TO COMPEL SKY CHEFS INC. TO PRODUCE 30(b)(6) DEPONENTS Expedited Hearing Requested** with the Clerk of Court using the CM/ECF system which sent notification of such filing to the following:

Derek Langston
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and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

Gary S. Kaplan
SEYFARTH SHAW
55 East Monroe Street, Suite 4200
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David O. Nuffer
Mediator
US District Court
350 South Main Street
Salt Lake City, Utah 84101

/s/ Pamela H. Skoy